

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO SUMMARY ORDERS FILED AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY THIS COURT'S LOCAL RULE 32.1 AND FEDERAL RULE OF APPELLATE PROCEDURE 32.1. IN A BRIEF OR OTHER PAPER IN WHICH A LITIGANT CITES A SUMMARY ORDER, IN EACH PARAGRAPH IN WHICH A CITATION APPEARS, AT LEAST ONE CITATION MUST EITHER BE TO THE FEDERAL APPENDIX OR BE ACCOMPANIED BY THE NOTATION: (SUMMARY ORDER). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF THAT SUMMARY ORDER TOGETHER WITH THE PAPER IN WHICH THE SUMMARY ORDER IS CITED ON ANY PARTY NOT REPRESENTED BY COUNSEL UNLESS THE SUMMARY ORDER IS AVAILABLE IN AN ELECTRONIC DATABASE WHICH IS PUBLICLY ACCESSIBLE WITHOUT PAYMENT OF FEE (SUCH AS THE DATABASE AVAILABLE AT [HTTP://WWW.CA2.USCOURTS.GOV/](http://www.ca2.uscourts.gov/)). IF NO COPY IS SERVED BY REASON OF THE AVAILABILITY OF THE ORDER ON SUCH A DATABASE, THE CITATION MUST INCLUDE REFERENCE TO THAT DATABASE AND THE DOCKET NUMBER OF THE CASE IN WHICH THE ORDER WAS ENTERED.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 16<sup>th</sup> day of November, two thousand nine.

PRESENT: JOSEPH M. McLAUGHLIN,  
PIERRE N. LEVAL,  
RICHARD C. WESLEY,  
*Circuit Judges.*

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Sayed Khalifa, Amany Corp.,

*Plaintiffs-Appellants,*

v.

08-0483-cv

Town of Coventry, Donal G. O'Shea, Theresa A. Schultheis,  
Richard Metzger, Jack Stafford, Robert M. Larkin, Esq., Thomas  
J. Loughren,

*Defendants-Appellees.*

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1 FOR PLAINTIFFS-APPELLANTS: GIDEON ORION OLIVER, New York,  
2 NY

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4 FOR DEFENDANTS-APPELLEES: MARIA E. LISI-MURRAY, Levene  
5 Gouldin & Thompson, LLP,  
6 Vestal, NY  
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8  
9 Appeal from the United States District Court for the  
10 Northern District of New York (McAvoy, J.).  
11

12 **UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED,**  
13 **AND DECREED** that the judgment of said District Court be and  
14 hereby is **AFFIRMED**:  
15

16 Appellants Sayed Khalifa and Amany Corp. appeal from a  
17 grant of summary judgment and denial of their cross-motion,  
18 entered by the United States District Court for the Northern  
19 District of New York (McAvoy, J.) on January 9, 2008. We  
20 assume the parties' familiarity with the underlying facts,  
21 the procedural history of the case, and the issues on  
22 appeal.

23 Our previous opinion, *Field Day LLC v. County of*  
24 *Suffolk*, forecloses the challenges to the Coventry Mass  
25 Gathering Law. 463 F.3d 167 (2d Cir. 2006). In *Field Day*,  
26 we upheld the constitutionality of a mass gathering law  
27 substantively identical to the one at issue in this case.

28 We have reviewed the remaining arguments, and find them  
29 to be without merit.

1           For the foregoing reasons, the judgment of the district  
2 court is AFFIRMED.

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4                           FOR THE COURT:  
5                           Catherine O'Hagan Wolfe,  
6                           Clerk  
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9                           By: \_\_\_\_\_